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13
14 IN THE UNITED STATES DISTRICT COURT
15
16 EASTERN DISTRICT OF CALIFORNIA

17 UNITED STATES OF AMERICA,

18 CASE NO. 1:20-CR-00031-JLT-BAM

19 Plaintiff,

20 PRELIMINARY ORDER OF
21 v.
22 FORFEITURE

23 DIEGO LUA-GARCIA,

24 Defendant.

25
26 Based upon the plea agreement entered into between plaintiff United States of America and
27 defendant Diego Lua-Garcia, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

28 1. Pursuant to 21 U.S.C. § 853(a), defendant Diego Lua-Garcia's interest in the following
property shall be condemned and forfeited to the United States, to be disposed of according to law:

1. a. Approximately \$225,000.00, plus all accrued interest, in lieu of real property located
at 13302 Avenue 460, Orange Cove, Tulare County, California, APN: 005-040-41.

2. The above-listed property constitutes or is derived from proceeds obtained, directly or
indirectly, as a result of violation of 21 U.S.C. § 843(b), and/or was used, or intended to be used, in any
manner or part to commit or to facilitate the commission of a violation of 21 U.S.C. § 843(b).

3. Pursuant to Rule 32.2(b)(3), the Attorney General (or a designee) shall be authorized to
seize the above-listed property. The aforementioned property shall be seized and held by the U.S.
Marshals Service, in its secure custody and control.

1 4. a. Pursuant to 21 U.S.C. § 853(n), and Local Rule 171, the United States shall
2 publish notice of the order of forfeiture. Notice of this Order and notice of the Attorney General's (or a
3 designee's) intent to dispose of the property in such manner as the Attorney General may direct shall be
4 posted for at least 30 consecutive days on the official internet government forfeiture site
5 www.forfeiture.gov. The United States may also, to the extent practicable, provide direct written notice
6 to any person known to have alleged an interest in the property that is the subject of the order of
7 forfeiture as a substitute for published notice as to those persons so notified.

8 b. This notice shall state that any person, other than the defendant, asserting a legal
9 interest in the above-listed property, must file a petition with the Court within sixty (60) days from the
10 first day of publication of the Notice of Forfeiture posted on the official government forfeiture site, or
11 within thirty (30) days from receipt of direct written notice, whichever is earlier.

12 5. If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court
13 will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(a), in which all interests will be
14 addressed.

15 IT IS SO ORDERED.

16 Dated: August 29, 2024



UNITED STATES DISTRICT JUDGE